

Outgoing  
S/039/0024

Peter Brinton &lt;peterbrinton@utah.gov&gt;

## Freedom From War (S/039/0024) - additional information about proposed permit transfer

1 message

**Peter Brinton** <peterbrinton@utah.gov>  
To: Boyd Brothersen <brothers@cut.net>  
Cc: Paul Baker <paulbaker@utah.gov>

Wed, Jul 16, 2014 at 10:43 AM

Hi Boyd,

I wanted to make sure you know the following if the mine permit and Notice are transferred to your name, in case it hasn't been clear. Let me know if you have any questions. I would print this email for your files.

- 1) Here is a link the the Reclamation Practices required by rule for small mines. You would be required by the Division to reclaim to no less than these standards. They are vague, which has been one of the challenges so far. <http://www.rules.utah.gov/publicat/code/r647/r647-003.htm#T9>
- 2) Annual mine permit fees of \$150 and an annual report are due by January 31st. We send you a report in the mail to fill out. Annual fees would not be required if you are not expanding your operation and seeding graded areas each fall as you go. If you want to expand your disturbance, fees and additional paperwork will be required.
- 3) To permit future mining areas outside of the current disturbance, you would need to amend (replace) parts of the Notice paperwork and maps to indicate where and how many additional acres you may want to disturb. We can help with that. I will inspect the site again soon if the permit is transferred.
- 4) To permit future mining areas outside of the current disturbance, you may also need to either: 1 - provide additional reclamation bond, or 2 - reclaim a certain amount of the past disturbance (thus freeing up reclamation bond for new areas). If needed, we could calculate a site-specific bond that would certainly be smaller than our average-cost-per-acre amount, but it would take significantly more time.
- 5) Your future bond amount (\$7,000) is lower than the amount we usually approve for a disturbance your size, but in your case, I think it's fairly realistic, depending on what level cleanup we are talking about. If Todd transfers the permit, our transfer approval letter will indicate that the current \$7,000 is adequate for existing disturbances, based on site-specific conditions.
- 6) As long as you are obviously working on reclaiming or mining as permitted, paying permit fees (if you are expanding your disturbance), and keeping the bond current and adequate, you will retain your permit. However, after 10 years of inactivity (no mining or reclamation), the rules say you have to reclaim, unless the Board of Oil, Gas and Mining decides otherwise. In some cases, reclamation may be required after 5 inactive years.
- 7) Assuming the bond is transferred to your name, incremental bond releases will be possible after you have completed significant portions of remaining earthwork reclamation. However, since the bond is lower than normal, we may not be able to release as much as you would like all at once, and some bond will also need to be retained to cover revegetation costs until acceptable vegetation is established. Either way, the Division inspects reclamation work prior to releasing money. Also, money in a CD may not be available during certain times of the year for withdrawal, so plan accordingly.
- 8) Once reclamation is complete (including revegetation), the Division will release any remaining funds from the CD. Not all types of plant growth meet the requirements for revegetation (like noxious weeds). We know you are already working with the county to control a knapweed problem in areas adjacent to mining. Acres planted in alfalfa or similar crop may be releasable immediately. We can recommend a seed mix for areas not planted with



crops.

Other rules for small mining operations also apply, and are found at <http://www.rules.utah.gov/publicat/code/r647/r647-003.htm>. Let me know if you have any questions about this or other aspects of a permit transfer. Thanks.

Peter

—

Peter Brinton  
Environmental Scientist/Engineer II  
Utah Division of Oil, Gas & Mining  
Office Phone: 801-538-5258  
Days: M - Th, Every Other Friday  
Hours: 7:30am - 5:00pm